

# Court of Appeals, State of Michigan

## ORDER

People of MI v Rodrick Dennis Hayes

Docket No. 283973

LC No. 07-003099

Patrick M. Meter  
Presiding Judge

Donald S. Owens

Alton T. Davis  
Judges

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Pursuant to MCR 7.205(D)(2), in lieu of granting the delayed application for leave to appeal, the Court orders that the motion to remand is GRANTED. At the plea hearing the trial court stated it was inclined not to impose a probationary term in addition to a twelve-month jail term. At the sentencing hearing, the trial court imposed a twelve-month jail term and specifically stated that there would be no additional probationary term. Inexplicably, the trial court thereafter imposed a five-year probationary term at the conclusion of the hearing. On remand the trial court shall modify the judgment of sentence to delete the probationary term to comply with its previously stated inclination at the plea agreement and its pronouncement of sentence at the sentencing hearing.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

APR 18 2008

Date

*Sandra Schultz Mengel*  
Chief Clerk